



Environmental Services

Duke Energy  
526 South Church Street  
Charlotte, NC 28202

Mailing Address:  
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Charlotte, NC 28201-1006

March 28, 2014

**VIA FED-EX OVERNIGHT**

Ronald Jordan  
EPA  
EPA West Building/Connecting Wing, Room 6233-W  
1301 Constitution Avenue, NW  
Washington DC 20004

Subject: Supplemental Information Request

Dear: Mr. Ron Jordan

On January 27, 2014, EPA submitted to Duke Energy a Supplemental Information Request seeking data related to Duke Energy's Comments to EPA's Proposed Effluent Limitation Guidelines and Standards for Electric Power Generation Point Sources (78 FR 34432). Please find enclosed two compact discs (CD) satisfying this information request: one for confidential business information, the other for non-confidential business information.

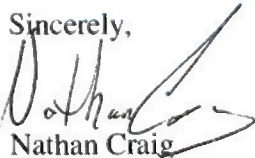
EPA's Supplemental Information Request sought extensive multi-year data pertaining to seven coal fired facilities, with a 30 day production deadline. After negotiations, EPA extended the production deadline to March 31, 2014. Even with the extension of time, EPA's Supplemental Information Request placed an undue burden upon Duke Energy to obtain extensive data from seven coal fired facilities. To Duke Energy's knowledge, other utility companies were not required to perform such an exhaustive and burdensome data review and production in response to a supplemental information request. Duke Energy is responding to the Supplemental Information Request to the best of its knowledge, relying upon available information and belief in accordance with applicable law. Duke Energy has found that some portions of the Supplemental Information Request to be vague and/ambiguous. As a result, Duke Energy is responding to the Supplemental Information Request to the best of its ability, utilizing its reasonable interpretation of the language contained in the Supplemental Information Request. Duke Energy's Response is only intended to supply information and documents that are not protected from disclosure pursuant to attorney-client privilege, the work product doctrine, the critical self-evaluation privilege or any other applicable privilege or protection afforded by law. When requested data could not be collected and reviewed within the timeframe imposed by EPA, Duke Energy will provide estimates of when such data will be produced.

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The Supplemental Information Request seeks disclosure of certain confidential or proprietary information or trade secrets and/or confidential business or commercial information (collectively "Confidential Business Information" or "CBI"). The information and documents that Duke Energy designates as "CBI" satisfy all the requisite conditions governing CBI claims set forth in EPA's applicable regulations. Included within Duke Energy's designation of CBI material are the following types of data: Fuel contracts, costs and tons; fuel additives and other data which could reveal operational practices, outage schedules or costs to Duke Energy's competitors. All CBI designated data is marked accordingly and is provided to EPA on a separate CD. If EPA does not agree with, or has questions about, the propriety of any CBI designation for certain documents or information, EPA should immediately contact Julie L. Ezell, Duke Energy Legal Department, 1000 East Main Street, Plainfield, Indiana 46168. Telephone: 317-838-1100. Email: [Julie.ezell@duke-energy.com](mailto:Julie.ezell@duke-energy.com).

If EPA has any question specific to the data submitted, please contact Nathan Craig, Duke Energy, 526 South Church St., Charlotte, NC 28202. Telephone: 704-382-9622. Email: [nathan.craig@duke-energy.com](mailto:nathan.craig@duke-energy.com).

Sincerely,



Nathan Craig  
Senior Environmental Specialist

Enclosure

Cc: Julie Ezell  
Richard Baker  
John Velte  
Jennifer Stenger  
Brandon Delis  
Bill Kennedy  
Joe Potts  
Pat Coyle  
Derek Henderson